## 1 2 3 4 5 6 7

## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

MORGAN FULLER, Case No. 2:19-cv-00820-JAD-CWH **Plaintiff** ORDER

٧.

CLARK COUNTY,

Defendant

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

## I. DISCUSSION

On May 17, 2019, this Court issued an order directing Plaintiff to file a fully complete application to proceed in forma pauperis or pay the full filing fee within 30 days from the date of that order. (ECF No. 3). Plaintiff subsequently filed an application to proceed in forma pauperis and a properly executed financial certificate. (ECF No. 4). However, Plaintiff did not file an inmate account statement. As such, this application is also incomplete.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed in forma pauperis and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff has not submitted an inmate account statement for the past six months. (See ECF No. 4). The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted one final opportunity to cure the deficiencies of his application to proceed in forma pauperis by filing an inmate account statement for the past six months, or in the alternative, pay the full filing fee for this action. If Plaintiff fails to file an inmate account statement for the past six months, the Court will dismiss the case in its entirety, without prejudice, to file a new case when Plaintiff is able to acquire the necessary documents to file a complete application to proceed in forma pauperis.

///

## II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff will either: (1) <u>file an inmate account statement for the past six months</u> in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

IT IS FURTHER ORDERED that, if Plaintiff fails to timely file an inmate account statement for the past six months, the Court will dismiss the case, without prejudice, for Plaintiff to file a new case when he is able to acquire the necessary documents to file a complete application to proceed *in forma pauperis*.

DATED: June 25, 2019

UNITED STATES MAGISTRATE JUDGE

- 2 -